

R E M A R K S

A. Information Disclosure Statement

Applicants are submitting along with this paper an Information Disclosure Statement (“IDS”), and copies of certain materials listed therein. The listed materials were identified to Applicants by another party as being related to a system called “Transaction Level Processing (TLP),” which was purportedly promoted by First Data during an unknown period of time. Applicants have no further information regarding the dates these materials were generated, whether they were distributed or made publicly available, or when this system was purportedly promoted by First Data. Although Applicants submit these materials and request that they be made of record, Applicants make no representation or admission that such materials, or any part thereof, are material or constitute prior art.

B. Rejection of Claims 17 and 18

Applicants would like to thank the Examiner for consideration of Applicants' Amendment dated August 8, 2003.

Claims 17 and 18 stand rejected under 35 U.S.C. 112, second paragraph, as being indefinite, since these claims currently depend from canceled claim 16. Applicants hereby amend claims 17 and 18 to be in independent form. Applicants respectfully request that these amendments be entered, and that the rejection of amended claims 17 and 18 be withdrawn.

First, Applicants respectfully point out that while amended claims 17 and 18 originally depended from canceled claim 16, they do not suffer from the same obvious-type double patenting problem as did canceled claim 16.

Moreover, it is respectfully submitted that amended claims 17 and 18 are allowable over the cited art – specifically Martin – for the same reasons that the Examiner found claims 1 through 15 and 19 through 37 to be allowable. Amended claim 17 and 18 include limitations that, like the allowed claims, require *activation* of a loan to pay for a transaction made using a financial transaction card. As was explained in our previous submission, dated August 8, 2003, Martin fails to disclose or suggest any process whatsoever for activating a loan using a financial

transaction card. Rather, Martin describes a system for making loan *payments* using an Automated Teller Machine (ATM) card.

Thus, the Applicants request that the above-described amendments to claims 17 and 18 be entered, and respectfully submit that these claims as amended are now in immediate condition for allowance.

Respectfully submitted,



Robert C. Scheinfeld
PTO Reg. No. 31,300
Attorney for Applicant
(212) 408-(212) 408-2512